

CITY OF CARLISLE
REGULAR CITY COUNCIL MEETING
Monday, September 27, 2004
7:00 P.M.
Carlisle City Hall Council Chamber

Officials present were: Mayor Ruth Randleman, Councilmembers Drew Merrifield, Allen Wiese, Pat Stump, Blair Dewey and Frank Shultz, City Administrator/Clerk Neil Ruddy, Deputy Clerk Pat Brehse and City Attorney Robert Stuyvesant.

The meeting was called to order at 7:00 P.M.

Motion by Stump to APPROVE THE FOLLOWING CONSENT ITEMS: September 13, 2004 Regular City Council meeting minutes, September 22, 2004 Capital Campaign Cabinet meeting minutes, September 15, 2004 Council Roundtable meeting minutes, August 17, 2004 MPO Central Iowa Bicycle-Pedestrian Roundtable meeting notes, attendance of Neil Ruddy and Pat Brehse at the IMFOA fall conference on October 20-22 in Des Moines, application and Resolution No. 2004092701 for tax abatement for William Ohnemus and Paulette Curiel for a new residence on lot 19 Sunridge, Plat 1 at 800 Patterson Dr. and application and Resolution No. 2004092702 for tax abatement for Rodney and Antoinette Smith for a new residence on lot 18 Sunridge, Plat 1 at 750 Patterson Dr. Seconded by Wiese. Councilmember Stump requested an explanation of the prices for the commemorative bricks at the aquatic center. Roll call vote: Stump – Aye, Wiese – Aye, Merrifield – Aye, Dewey – Aye, Shultz – Aye. Motion carried.

Councilmember Stump had the BILLS PAYABLE FOR REVIEW in the amount of \$344,875.57 for bills already paid and \$31,958.82 for current bills for a total amount of \$376,834.39. Motion by Stump to APPROVE PAYMENT OF BILLS IN THE TOTAL AMOUNT OF \$376,834.39. Seconded by Wiese. Roll call vote: Stump – Aye, Wiese – Aye, Merrifield – Aye, Dewey – Aye, Shultz – Aye. Motion carried.

Motion by Stump to APPROVE PARTIAL PAY ESTIMATE NO. 3, to Ricchio, Inc. in the amount of \$63,624 for the Carlisle family aquatic center. Seconded by Shultz. Roll call vote: Stump – Aye, Shultz – Aye, Dewey – Aye, Wiese – Aye, Merrifield – Aye. Motion carried.

CITIZEN PARTICIPATION: Councilmember Shultz stated that he was upset that he had to pay a DOG IMPOUND FEE of \$71.95 when someone else had let the dog out. He was advised to file a complaint with the Police Department, especially if he had a suspect.

Motion by Dewey to CHANGE THE START TIME FOR THE SPECIAL COUNCIL MEETING on October 4, 2004 from 7:00 P.M. to 7:30 P.M. Seconded by Merrifield. Roll call vote: Dewey – Aye, Merrifield – Aye, Wiese – Aye, Stump – Aye, Shultz – Aye. Motion carried.

The CHASERS BAR AND GRILL request for a class C liquor license along with Sunday sales, outdoor service and catering privileges at 60 School Street was considered. Council was advised that after reviewing the background information, the request could be approved, approved with concerns or denied. Motion by Wiese to APPROVE THE REQUEST FROM CHASERS BAR AND GRILL FOR A CLASS C LIQUOR LICENSE ALONG WITH SUNDAY SALES, OUTDOOR SERVICE AND CATERING PRIVILEGES AT 60 SCHOOL STREET WITH CONCERNS. Seconded by Merrifield. Roll call vote: Wiese – Aye, Merrifield – Aye, Stump – Aye, Dewey – Abstain, Shultz – Nay. Motion carried. Motion by Stump to APPROVE THE REQUEST FROM CHASERS BAR AND GRILL FOR A CIGARETTE LICENSE AT 60 SCHOOL ST. Seconded by Merrifield. Roll call vote: Stump – Aye, Merrifield – Aye, Wiese – Aye, Dewey – Aye, Shultz – Aye. Motion carried.

The NOT TO EXCEED \$330,000 GENERAL OBLIGATION CAPITAL LOAN NOTES, SERIES 2004B were considered. Mayor Randleman OPENED THE PUBLIC HEARING on the authorization of a loan agreement

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and the issuance of notes to evidence the obligation of the City thereunder at 7:25 P.M. No written or oral comments were received. Motion by Wiese to CLOSE THE PUBLIC HEARING at 7:26 P.M. Seconded by Merrifield. Roll call vote: Wiese – Aye, Merrifield – Aye, Stump – Aye, Dewey – Aye, Shultz – Aye. Motion carried. Motion by Stump to APPROVE RESOLUTION NO. 2004092703 INSTITUTING PROCEEDINGS TO TAKE ADDITIONAL ACTION for the authorization of a loan agreement and the issuance of not to exceed \$330,000 General Obligation Capital Loan Notes, Series 2004B. Seconded by Merrifield. Roll call vote: Stump – Aye, Merrifield – Aye, Wiese – Aye, Dewey – Aye, Shultz – Aye. Motion carried.

The REPORT FROM EMC INSURANCE COMPANIES ON THE INVESTIGATION OF CLAIMS FOR LOSSES AT 300 S. GARFIELD on 10-1-02 and 8-3-04 claim by JLM Properties was received and filed. A field inspection by EMC's engineer has been scheduled for September 29, 2004.

An AMENDED SWIMMING POOL ORDINANCE that incorporates provisions of Appendix G of the International Building Code was discussed.

It was reported that WARREN COUNTY HAS REFUSED CHANGE THE INEQUITABLE RENTAL RATE ON THE CARLISLE SENIOR NUTRITION MEAL SITE. Warren County has proposed a 1-year agreement through June 30, 2005 that would allow the rental rate to be reconsidered for the 2005-06 budget. Motion by Shultz to APPROVE A 1-YEAR AGREEMENT WITH WARREN COUNTY FOR RENTAL OF THE COMMUNITY BUILDING AS A SENIOR MEAL SITE. Seconded by Dewey. Roll call vote: Shultz – Aye, Dewey – Aye, Stump – Aye, Wiese – Nay, Merrifield – Nay. Motion carried.

The SEPTEMBER 20, 2004 PLANNING AND ZONING COMMISSION MEETING MEMORANDUM OF DISCUSSION, including setting a special meeting for October 5, 2004 on the preliminary plat for phase 1 of the Danamere Farms commercial area and residential PUD was received and filed.

The September 17, 2004 CARLISLE ENVIRONMENTAL EDUCATION CENTER STEERING COMMITTEE MEETING MINUTES, including the recommendation to appoint Bill Schooler, Jr. and Susan Schooler to the CEEC Steering Committee, the Information on development of a citizen support organization and the offer from NRCS Partners for Fish and Wildlife to donate seed for the wetland restoration, were received and filed. Motion by Wiese to APPOINT BILL SCHOOLER, JR. AND SUSAN SCHOOLER TO THE CEEC STEERING COMMITTEE. Seconded by Merrifield. Roll call vote: Wiese – Aye, Merrifield – Aye, Stump – Aye, Shultz – Aye, Dewey – Aye. Motion carried.

Motion by Wiese to APPROVE RESOLUTION NO. 2004092704 APPROVING THE APPLICATION FOR THE P.E.A.C.H. AREA PROJECT SPLASH FAMILY AQUATIC CENTER COMMUNITY ATTRACTIONS AND TOURISM PROGRAM GRANT. Seconded by Stump. Roll call vote: Wiese – Aye, Stump – Aye, Dewey – Aye, Shultz – Aye, Merrifield – Aye. Motion carried. Motion by Stump to APPROVE RESOLUTION NO. 2004092705 APPROVING THE AGREEMENT FOR AN ECONOMIC DEVELOPMENT GRANT IN THE AMOUNT OF \$12,500.00 FROM POLK COUNTY for the P.E.A.C.H. Area Project Splash Family Aquatic Center. Seconded by Shultz. Roll call vote: Stump – Aye, Shultz – Aye, Dewey – Aye, Wiese – Aye, Merrifield – Aye. Motion carried. Motion by Wiese to TABLE ACTION ON THE CHANGE ORDER FOR SUBSTITUTION OF RAISED SEAM METAL ROOFING FOR ASPHALT SHINGLE ROOFING ON THE AQUATIC CENTER MECHANICAL BUILDING in the amount of \$11,075.00 and refer the matter to the Capital Campaign Cabinet for a recommendation. Seconded by Stump. Roll call vote: Wiese – Aye, Stump – Aye, Dewey – Aye, Shultz – Aye, Merrifield – Aye. Motion carried. Motion by Wiese to APPROVE CHANGE ORDER NO. 1 FOR ITEMS OUTLINED IN THE POST-BID STATE PLAN REVIEW in the amount of \$465.00. Seconded by Stump. Roll call vote: Wiese – Aye, Stump – Aye, Dewey – Aye, Shultz – Aye, Merrifield – Aye. Motion carried.

Motion by Stump to APPROVE RESOLUTION NO. 2004092706 APPROVING THE IOWA DOT OFFICIAL 2004 FISCAL YEAR STREET FINANCE REPORT. Seconded by Dewey. Roll call vote: Stump – Aye,

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Dewey – Aye, Shultz – Aye, Wiese – Aye, Merrifield – Aye. Motion carried.

Councilmember Shultz left the meeting at 8:35 P.M.

Motion by Dewey to SET OCTOBER 25, 2004 AT 7:15 P.M. FOR A PUBLIC HEARING ON THE ORDINANCE ESTABLISHING THE SOUTH CENTRAL AREA SANITARY SEWER CONNECTION FEE DISTRICT and imposing connection fees on properties within said district when connections are made to the City of Carlisle sanitary sewer collection system. Seconded by Stump. Roll call vote: Dewey – Aye, Stump – Aye, Wiese – Aye, Merrifield – Aye. Motion carried.

The DECISION TO SET A PUBLIC HEARING DATE ON THE DISPOSAL OF HIGHWAY 5 AND COUNTY LINE ROAD COMMERCIAL DEVELOPMENT PROPERTY WAS DEFERRED until a legal description can be obtained.

Councilmember Shultz returned to the meeting at 8:40 P.M.

Motion by Dewey to APPROVE SENDING A LETTER TO THE WARREN COUNTY ECONOMIC DEVELOPMENT CORPORATION expressing concern about the effectiveness of the performance of the marketing effort for Carlisle. Seconded by Stump. Roll call vote: Dewey – Aye, Stump – Aye, Shultz – Aye, Wiese – Aye, Merrifield – Aye. Motion carried.

The need for COUNCIL STRATEGIC PLANNING SESSIONS AND/OR WORK SESSIONS was reconsidered. Motion by Stump to SET NOVEMBER 1, 2004 AT 6:00 P.M. FOR A WORK SESSION on Project Destiny. Seconded by Dewey. Roll call vote: Stump – Aye, Dewey – Aye, Shultz – Aye, Wiese – Aye, Merrifield – Aye. Motion carried.

Motion by Stump to APPROVE RESOLUTION NO. 2004092707 REQUESTING A SPECIAL ELECTION ON OPEN BURNING. Seconded by Wiese. Roll call vote: Stump – Aye, Wiese – Aye, Merrifield – Aye, Dewey – Aye, Shultz – Aye. Motion carried. The Curb It! grant can be used to pay for election expenses.

The Transportation Plan and the Avon Lake sanitary sewer extension project were discussed.

Motion by Stump to APPROVE RESOLUTION NO. 2004092708 SUPPORTING THE METRO ADVISORY COUNCIL EFFORT TO ESTABLISH CONSISTENT BUILDING CODES. Seconded by Shultz. Roll call vote: Stump – Aye, Shultz – Aye, Dewey – Aye, Merrifield – Aye, Wiese – Aye. Motion carried. It was noted that Carlisle has already adopted the 2003 International Building Code.

Councilmember Merrifield stated that School Superintendent Lane has indicated that the school district did not approve the recent storm drainage improvements. It was explained that the Public Works Superintendent had received approval for the improvements from the school district's facilities manager. Councilmember Stump reported on the wall repair for the downtown mural and on the League conference. Councilmember Dewey reported on Opportunity Iowa. Councilmember Shultz reported on the water and electric extensions to the North Park garden area. Mayor Randleman reported on the Growing Green Communities meetings, the upcoming Banner State Park dedication, the police office remodeling and the League conference. City Attorney Stuyvesant reported on the Hiawatha v. Cedar Rapids annexation case which ruled that an involuntary annexation supercedes a voluntary annexation and stated that the acquisition of the property at 201 S. Garfield for the Welch Products expansion cannot proceed until the appraisal is completed. Fire Chief Berger reported on NIPS on-line testing. City Administrator Ruddy reported on the letter to the Corps of Engineers regarding Lake Red Rock dam repairs, the letter in support of an application by Northwest Airlines for additional slots for flights from Des Moines at Reagan National airport and the request from Vista Real Estate for annexation and utility services. It was reported that the temporary move of the library is scheduled for October 2, 2004.

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Motion by Shultz to ADJOURN AT 9:47 P.M. Seconded by Wiese. Roll call vote: Shultz – Aye, Wiese – Aye, Merrifield – Aye, Stump – Aye, Dewey – Aye. Motion carried.

Ruth Randleman, Mayor

Attest:

Neil Ruddy, Administrator/Clerk